

## SENATE BILL No. 440

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-10-11.5-2; IC 12-10-11.5-6.

**Synopsis:** Funding for long term care. Specifies that funding for long term care services includes state and federal dollars available for institutional care and home and community based services. Requires savings generated by converting to home and community care to be used to fund additional home and community based Medicaid waiver slots.

**Effective:** Upon passage; July 1, 2005.

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January 13, 2005, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL No. 440

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-10-11.5-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This chapter  
3 is subject to funding available to the office of the secretary of family  
4 and social services.

5 **(b) Funding under this chapter includes available state and**  
6 **federal dollars for long term care services for the elderly and for**  
7 **the disabled that are used to provide the following:**

8 **(1) Institutional care.**

9 **(2) Home and community based services.**

10 ~~(b)~~ (c) The secretary and the director of the state budget agency are  
11 responsible for ensuring that the cost of the services provided under  
12 this chapter does not exceed the total amount of funding, including  
13 state and federal funds, that is made available by the budget agency for  
14 the program established under this chapter to provide long term care,  
15 including home and community based services.

16 SECTION 2. IC 12-10-11.5-6 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The office of the



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1 secretary of family and social services shall annually determine any  
 2 state savings generated by home and community based services under  
 3 this chapter by reducing the use of institutional care.

4 (b) The secretary shall annually report to the governor, the budget  
 5 agency, the budget committee, the select joint commission on Medicaid  
 6 oversight, and the executive director of the legislative services agency  
 7 the savings determined under subsection (a). A report under this  
 8 subsection to the executive director of the legislative services agency  
 9 must be in an electronic format under IC 5-14-6.

10 (c) Savings determined under subsection (a) ~~may~~ **must** be used to  
 11 fund the state's share of additional home and community based  
 12 Medicaid waiver slots.

13 SECTION 3. **An emergency is declared for this act.**

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